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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,594	03/12/2004	Shreyas J. Kamat	03292.101900.	2593
66569 7590 08/04/2009 FITZPATRICK CELLA (AMEX) 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				
EXAMINER AKINTOLA, OLABODE				
ART UNIT 3691		PAPER NUMBER		
MAIL DATE 08/04/2009		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/708,594

**Applicant(s)**

KAMAT ET AL.

**Examiner**

OLABODE AKINTOLA

**Art Unit**

3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 2, 4, 7-10, 12, 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (USPN 5798508) in view of Bliss et al. (USPN 5999938) in view of Kalajan (USPN 5941954) in view of Masinter (USPN 7409405) and further in view of Zhang (USPAP 20040255287).

Re claims 1, 9 and 17: Walker teaches a system (and a corresponding method) configured to facilitate the transmission of messages from a seller to a supplier, the method being performed by a computer that includes a processor and a memory storing computer executable applications, wherein the method comprises: a seller application causing end purchaser information to be

stored in a memory; a supplier application causing a message to be populated with the end purchaser information; a web application coupled to the supplier application and operable to accept user input containing one or more portion of a message; (fig. 1A, 2A, 6-10, and column 2, line 56 thru column 5, line 17 and column 8, line 7 thru column 11, line 25).

Walker does not explicitly teaches a proxy application coupled between the seller application and the supplier application, wherein the proxy application is configured to translate a message from a format used by the seller application to a format used by a supplier application; encrypt/decrypt and transmit data from the seller application to the supplier application; report, to at least one of the supplier application and the seller application, an aggregate transaction performed by a seller during a specific time period, and update communication software to communicate between the seller application and the supplier application.

Bliss teaches creating and populating data fields from different sources without having to manually re-enter the data from each of the sources into the destination data fields (col. 4, lines 57-65). Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to modify Walker to include this feature for the obvious reason of avoiding manually re-entering the data.

Kalajan discloses a proxy application coupled to between two applications, wherein the proxy application is configured to encrypt/decrypt and transmit data from the seller application to the supplier application (col. 4, line 64 thru col. 5, line 2). Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to modify Walker to include this feature for the obvious reason of providing a resource for encrypting and decrypting messages between the applications.

Masinter teaches the concept of using a proxy converter to convert a file from one format to another (col. 3, lines 17-20, col. 5, lines 55-67). Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to modify Walker to include this feature for the obvious reason of converting messages to appropriate formats for each application.

Zhang teaches the concept of using the proxy software to update communication software to communicate between servers (abstract, ¶0001, 0011, 0029). Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to modify Walker to include this feature for the obvious reason of updating inter-server communication software.

Official notice is hereby taken that the concept of reporting to a user, an aggregate of transactions performed by a user during a specified time period is old and well known.

Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to modify Walker to include this feature for the obvious reason of notifying the user of all transaction performed during a particular period.

Re claims 2 and 10: Walker teaches wherein the seller application is a web services application (fig. 2A, col. 4, line 63 thru col. 3, line 16).

Re claims 4 and 12: Walker teaches wherein the supplier application is configured to facilitate exchanging information with one of the seller application and the supplier application (fig. 2A,

col. 4, line 63 thru col. 3, line 16).

Re claims 7 and 15: Walker teaches wherein the system facilitates transmitting information related to the sale of travelers checks (abstract).

Re claims 8 and 16: Walker teaches wherein the system facilitates transmitting information related to the sale of prepaid services (abstract).

Claims 3 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Bliss in view of Kalajan in view of Masinter in view of Zhang as applied to claim 1 above, and further in view of Hejlsberg et al (USPN 7165239).

Re claims 3 and 11: Walker, Bliss and Kalajan do not explicitly teach wherein the proxy application is configured to facilitate transmitting data using SOAP and HTTP between the seller application and the supplier application. Hejlsberg teaches facilitate transmitting data using SOAP and HTTP between applications (col. 3, lines 45-57). Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to modify Walker to include this feature because these protocols are well known industrial standard protocols.

Claims 5-6 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Bliss in view of Kalajan in view of Masinter in view of Zhang as applied to claim 1 above, and further in view of Gleason et al. (USPAP 20030195762).

Re claims 5-6 and 13-14: Walker, Bliss and Kalajan do not explicitly teach wherein the proxy application facilitates transmitting information using an XML format; and wherein the XML format is a SOAP message conforming to the WSDL. Gleason teaches transmission of information using XML format wherein the XML format is a SOAP message that conforms to WSDL (para. 0048). Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to modify Walker to include this feature for the obvious reason of communicating information between applications in XML/SOAP via the internet using WSDL.

#### ***Response to Arguments***

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLABODE AKINTOLA whose telephone number is (571)272-3629. The examiner can normally be reached on M-F 8:30AM -5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Olabode Akintola/  
Examiner, Art Unit 3691